



MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
And Third Tuesday of each month

REGULAR MEETING
April 18, 2006

County Courthouse
Bridgeport, California 93517

9:00 a.m. Call meeting to Order by Chairman Supervisor Tom Farnetti

Pledge of Allegiance led by Supervisor Farnetti
OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None

DEPARTMENT REPORTS/EMERGING ISSUES

Sheriff Paranick reports that there was a large avalanche at Mammoth Mountain Ski Area Chief Donnelly in hospital yesterday. Released. A problem with carotid artery. Got appointment to National FBI Academy for Lt. Robert Webber. Very prestigious appointment.

Dan Lyster: Deaths at Mammoth Mountain and involvement with CO2 incident area of Chair 3– HAC will monitor this.. Farnetti asks if there are any safety devices that could have been used to prevent the tragedy at gas pocket. Looking at various safety solutions that could be done. Board is please with response by COG and by our Special Projects team led by Dan Lyster
Resource Management – Bighorn Sheep meeting/discussion Matley grazing issue
AB7 not enough money to fund this – new trailer bill.

Evan Nikirk: Roads that lead into back country and snow removal – campgrounds not cleared yet but are working on clearing areas prior to opening of fishing season.

Tioga Pass – Public Works has been contacted by Forest Service and a MOU will be brought to Board in May so that Public Works can assist in opening by plowing up to Ranger Station. No prediction on how soon pass would open.

Fleet staff is short-handed – need temporary solution. Will talk to Bob Garrett Human Resources Director.

Hap Hazard brings up Fish & Game requests for money – need for funds – Supervisor Hunt states that we are waiting for approval at this time. Supervisor Hazard requests Urgency Item for agenda.

Urgency Item
re funding for
Fish & Game
M06-48a

Urgency Item:

Board determines that there is a need to take immediate action with respect to the request for funding from the Inyo-Mono Fish and Game Advisory Commission in the amount of \$3,075 and that the need for action came to the County's attention subsequent to the agenda being posted and, therefore, the Board adds this item to the agenda of April 18, 2006.

Hunt/Bauer 4-0 Vacant: District #4

Funding for
Fish & Game
M06-48b

ACTION: Motion to approve funding in amount of \$3,075.00 as indicated in the request of Inyo-Mono Fish & Game Commission pending the formal request from Fish and Game.

Hazard/Hunt 4-0 Vacant: District #4

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report and Tracking Report re Board Assignments (**David Wilbrecht**)
CAO Report
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities. Review and potentially revise Tracking Report of Board assignments.
Worked with Supervisor Bauer re tonights presentation in June Lake
Attended Public Health Staff meeting – re flu; great potential for many employees to be sick
Auditors office re budget training
Eastern Sierra Council of Gov.
Economic Studies for Town
Met with Management staff re budget
Will meet again with Supervisor Bauer to finalize plans for tonight (adjourned meeting June Lake)

Enter Closed
Session
9:35 a.m.

CLOSED SESSION

- 2) CONFERENCE WITH LABOR NEGOTIATORS (MCPE). Government Code §54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, and Robert Garret. Employee organizations: Local 39 (MCPE, DPOU), Paramedic Fire and Rescue Association, Sheriff's Officers' Association (DSA), Sheriff Department Management Association, Public Safety Officers Association, Management Council. Unrepresented employees: County Administrator, County Counsel, Deputy County Counsel, Clerk-Recorder, Mental Health Director, Social Services Director, Public Health Director, Health and Human Services Director, Deputy county Administrative Officer/Human Resources Director; Deputy County Administrative Officer/Risk Manager; Health Officer, Psychiatrist, Assistant Public Works Director, Project Manager, Assistant District Attorney, District Attorney Chief Investigator, Assistant Treasurer-Tax Collector, Assistant Auditor-Controller, IT Director, Building Official, Budget & Organization Analyst, Assistant Clerk-Recorder, Probation Officer, and Child Support Director, Undersheriff, Paramedic/Fire Chief, Assistant Assessor, and Health and Human Services Director of Financial Services.

- 3) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code §54956.8. Property: Conway Ranch. Agency negotiators: Dan Lyster and Mark Magit. Negotiating parties: Mono County and Inland Aquaculture Group LLC. Under negotiation. Price and terms of payment.

Exit Closed
Session

Exit Closed Session: 10:30 a.m.
Nothing to Report
Recess: 10:30 to 10:40 a.m.

- 4) **APPROVAL OF MINUTES:**
Approval of Minutes
Regular Meeting of April 4, 2006
Hazard/Hunt 4-0 Vacant: District #4

CONSENT AGENDA
Hunt/Hazard 4-0 Vacant: District #4

BOARD OF SUPERVISORS

- 5a)**
Service Area #1
appointment
M06-49

Pulled from consent for discussion
- Mono County Service Area #1**
ACTION: Approve and authorize the appointments of Leslie Willoughby to fill Lori Michelin's vacancy with a term expiring 11/30/2010 and Theodore Cortopassi filling Guntram Jordan's vacancy also with a term expiring 11/30/2010. Add name of John Zaucha as a standby appointee when another member resigns.
Item pulled for further discussion will need to appoint one more Hazard/Hunt 4-0 Vacant: District #4

- 5b)**
Safe Haven Program
M06-50
- Safe Haven Program**
ACTION: Approve and authorize the signatures of the Board Chairman and County Administrative Officer on the **Certificate** of Local Approval in support of emergency shelter for victims of domestic violence and alternative funding from the Federal Emergency Shelter Grant (FESG) Program.

ASSESSOR

- 6)**
Property Tax Relief
ORD06-04
- Property Tax Relief
ACTION: Adopt **Ordinance ORD06-04** amending Title 3 of the Mono County Code and replacing Chapter 3.40 of the Mono County Code to provide an Ordinance that allows a taxpayer to apply for a reassessment of property that has been damaged or destroyed by misfortune or calamity as provided in Revenue and Taxation Code Section 170.

COUNTY CLERK/RECORDER/REGISTRAR

- 7)**
HAVA Funding Section 301
R06-34
- Funding from HAVA, Section 301
ACTION: Approve and authorize Chairman's signature on a **Resolution No. R06-34** approving the standard **agreement** between the California Secretary of State and the County of Mono for funding the Help America Vote Act (HAVA) of 2002, section 301, known as the "Voting Systems Program."

COUNTY COUNSEL

- 8)**
Law Library Appointment
M06-51
- Law Library Board of Trustees
ACTION: Reappoint the following individuals to the Mono County Law Library Board of Trustees for calendar year 2006, nunc pro tunc, effective January 1, 2006: Gerald Mohun, George Booth, and Marshall Rudolph.

REGULAR AGENDA

ECONOMIC DEVELOPMENT & SPECIAL PROJECTS

10)
**Walker River
Ecosystem
Preservation
Project**

No action

Signature of MOU for Walker River Ecosystem Preservation Project (Dan Lyster)
Bob Peters comments. Steve Marti is trying to bring signatories together to work on this project. First step is to develop the plan –role of Fisheries Commission is questions. Will they be part of workshops and planning? This is the only way it could work they need to be an active player. Board has requested more detail before moving forward – they had asked for this before. Peters states that it is easier to move forward with grant monies, etc. with the Boards support up front. Marti feels the first step is the Board signing on to project. Board feels that Marti needs to run this past Fisheries Commission and he hasn't done this. Fisheries Commission has requested that all project be presented to them first. They can make recommendation then.

RECOMMENDED ACTION: Approve and authorize Chairman's signature on the **Memorandum of Understanding (MOU)** for the Walker River Ecosystem Preservation Project.

No action

CLERK-RECORDER-REGISTRAR

11)
**Voter
Education
Month
R06-35**

Voter Education and Participation Month (Renn Nolan)

ACTION: Approve and authorize Chairman's signature on a **Resolution No. R06-35** declaring the month of April as "Voter Education and Participation Month" for 2006.

Hazard/Hunt 4-0 Vacant: District #4

MENTAL HEALTH

12)
**Substance
Abuse Crime
Prevention
M06-52**

Substance Abuse Crime Prevention Act Plan 2006-07 (Tom Wallace)

ACTION: Approve and adopt the Substance Abuse Crime Prevention Act (SACPA) programmatic and spending plan for FY 2006-07.

Bauer/Hunt 4-0 Vacant: District #4

BUILDING DIVISION

13)
**Plan Check
Contract
M06-53**

Plan Check Contracts: B&H & Interwest (Bob Floyd)

ACTION: Approve and authorize Chairman's signature on contractual agreements with Berryman & Henigar (aka: Bureau Veritas) and Interwest Consulting Group for plan review services.

Hunt/Bauer 4-0 Vacant: District #4

PUBLIC WORKS

14a)
**County
Maintained
Mileage 06-07
R06-36**

County Maintained Mileage for FY 06-07 (Evan Nikirk)

ACTION: Approve and authorize Chairman's signature on a **Resolution No. R06-36** specifying additions and/or exclusions to the maintained mileage within the County road system and establishing maintained mileage for fiscal year 2006-2007.

Hazard/Hunt 4-0 Vacant: District #4

14b)
**East Granite
Avenue
Acceptance
n/a**

Consideration of Conditions for East Granite Avenue Acceptance (Evan Nikirk)

ACTION: Receive staff report regarding homeowners' request that the County accept a portion of East Granite Avenue into the County Road System.

Homeowner Jane Escotto is present.

Discussion by Board and Public Works Director.
No action at this time.

14c)
Bid Award for
Courthouse
Exterior

Continued by
Public Works

May 2, 2006

Bid Award for the Courthouse Exterior Renovation Project (Kelly Garcia)

ACTION: (1) Acknowledge receipt of proposals earlier in the day and based upon review and recommendation by the Public Works Director, award the contract to the lowest responsible bidder. (2) Approve and authorize the Director of Public Works (in consultation with County Counsel) to execute and administer an agreement with the lowest responsible bidder for the Mono County Courthouse Exterior Renovation Project, in an amount not to exceed the lowest responsible bid as indicated on the bid proposal. This authorization shall include making minor amendments to said contract from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form by County Counsel.

CONTINUE TO MAY 2, 2006

15)
California
Farm Bureau
v. Calif.
Wildlife
Conservation
Amicus
Request

N/A

Amicus Request (Mark Magit)

RECOMMENDED ACTION: Consider and potentially authorize joining an amicus curiae brief in California Farm Bureau et al v. California Wildlife Conservation Board et al. (3d Dist Court of Appeal). Receive staff report. Provide any desired direction to staff.

County Counsel will get a copy of brief and indicate that Board is considering approval and come back to Board with recommendation. Consensus of Board is that they need more information.

BOARD OF SUPERVISORS

16a)
Endangered
Species Act

No action

Endangered Species Act (Byng Hunt)

Supervisor Hunt states that he wanted to discuss this not necessarily have any action at this time. Board policy is to have county counsel review this resolution and come back to Board to determine whether this is a good thing or not. . *When this item comes back before the Board Mr. Fred Fulstone will be notified.*

County Counsel is directed to research this and its affect on Mono County.

ACTION: Approve and authorize Chairman's signature on a **Resolution** supporting the current efforts in Congress to pass reasonable and necessary changes in the federal Endangered Species Act to make it more effective in fulfilling the shared national goal of recovering endangered and threatened species, while giving municipalities the tools they need to provide for their constituents.

No action at this time

16b)

Notify Gov. Re
death of
Supervisor
John Cecil

Vacancy; District Four (Tom Farnetti, David Wilbrecht)

CAO distributes list of all meetings, etc. that Supervisor Cecil is involved in.

Governor may appoint anyone he wants to appoint from anywhere. Letter should indicate that Board wants someone from our District #4 appointed, however, vacancy must ultimately be filled by election in November 2006.

Letter can be written today and discussed at June Lake adjourned meeting tonight? There is no obligation to report death to Governor. But could notify governor and inform him of imminent election or whatever the pleasure of Board is. Wishes of Board can be made known to the Governor. Is it appropriate for Board to make recommendations? County Counsel comments that there are really many things Board could comment to Governor.

Another option is to do nothing and get direction from Governor's office.

Hazard: Gov. appointment is always chaotic and lengthy – would probably take too long and doesn't want to go through governor. Let the election process take place. Owe governor courtesy of notification of loss of Board member. Ask governor if he would respond back as to what he intends to do and how he plans to proceed.

Hunt: Is the remaining Board able and willing to carry this burden during vacancy. Agrees with Hazard to notify Gov. and request direction.

Mary Booher: (resident of District #4) asks that Board ask Governor to fill this vacancy does not want to be unrepresented for 6 months.

Bauer: Should notify Governor; 6 months is a long time to not be represented. Perhaps have governor appoint someone that is not intending to run for office and just to cover the district concerns.

Farnetti: would like to have governor appoint someone as soon as possible but realizes that it will take a long time and it will be long and drawn out process. Notify governor and recommend that unless he can make a quick appointment to let this process be carried out in the November 2006 election.

Steve Noble: what about putting a past supervisor in office for the interim. Need representation now- doesn't want to continue with no representation on Board.

Tim Hansen: Thank you to Board for offering to all step up and cover District #4

Hugh Smyth "Smitty" – shouldn't put the condition of not running in election.

M06-54

ACTION: Authorize a letter to be sent to Governor Schwarzenegger notifying of the vacancy on the Board of Supervisors as a result of Supervisor Cecil's death. Request that governor proceed with an appointment if he can do so quickly. Request that governor notify this Board as soon as possible whether he will make an appointment or allow the vacancy to be filled by the election process in November 2006.

Hazard/Hunt 4-0 Vacant: District #4

M06-55

ACTION: Motion to fill Board and Commission vacancies created by Supervisor Cecil's death as follows:

Collaborative Planning: Farnetti

Antelope and Bridgeport RPAC: Hazard

Planning Commission: alternate members

Bodie Hills Coordinating Committee: no

Bridgeport Management Scoping Team: no

Conway Ranch Task Force: inactive

Coalition for Unified Recreation in Eastern Sierra: Hunt

Emergency Services Council: hap or Tom

Inter-agency Visitors' Center Board of Directors: Hunt and Lyster

Inyo-Mono Area Agency on Aging (IMAAA) Farnetti and Hunt

Local Transportation Commission: Bauer with Farnetti alternate

YARTS JPA: Bauer

Antelope and Bridgeport RPAC: Hazard

Hunt/Hazard 4-0 Vacant: District #4

Recess: 12:45 p.m.

Reconvene: 1:15 p.m.

1:00 p.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None

Public Hearing

Staff Report by Evan Nikirk Power Point presentation that is being shown to communities is shown to Board.

Questions & comments by Board Members
Public Hearing Opened: 1:20 p.m.
Comments: none
Public Hearing Closed: 1:21

1:00 p.m. PUBLIC WORKS

17a)

Revised Solid
Waste Gate
Fee Schedule
R06-37

Revised Solid Waste Gate Fee Schedule **(Evan Nikirk)**

ACTION: Approve and authorize Chairman's signature on a **Resolution No. R06-37** increasing, decreasing, and eliminating certain fees for County solid waste facility services to encourage recycling and to account for discontinued landfills at certain sites.

Hazard/Hunt 4-0 Vacant: District #4

17b)

Waste
Collection
Franchise
Agreement
M06-56

Waste Collection Franchise Agreements **(Evan Nikirk & Stacey Simon)**

ACTION: Authorize the Public Works Director (in consultation with County Counsel) to execute amendments to the primary waste collection franchise agreements with D&S Waste Removal and Mammoth Disposal to revise Exhibit 7.01b, "Capacity Fees," and Exhibit 13.01a, "Service Fee Floors," to account for revised gate fees at County disposal sites.

Hunt/Bauer 4-0 Vacant: District #4

1:55 p.m.

***Adjourn meeting to reconvene in regular session at the
June Lake Community Center @ 6:00 p.m.***

6:00 p.m. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

BOARD OF SUPERVISORS / ECONOMIC DEVELOPMENT

18)

June Lake
Economic
Development
M06-57

June Lake Economic Development

ACTION: Receive presentation by June Lake Community members regarding the impacts of proposed partial closure of June Mountain operations. Review and potentially approve proposed work plan for June Lake "warm beds" economic development. Approve County support for community-based discussions regarding June Lake economic development.

Hunt/Hazard 4-0 Vacant: District #4

8:00 p.m.
Adjourn

ADJOURNMENT

Adjourn meeting of April 18, 2006 at the hour of 8:00 p.m. to reconvene on May 2, 2006 at 9:00 a.m. in Chambers of the Board of Supervisors, Mono County Courthouse, Bridgeport, California
